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ARTICLE I

Article XI of the Agreement for Cooperation is amended to read as follows:

"A. The Government of the United States of America and the Government of the Argentine Republic, recognizing the desirability of making use of the facilities and services of the International Atomic Energy Agency, agree that the Agency will be promptly requested to assume responsibility for applying safeguards to materials and facilities subject to safeguards under this Agreement for Cooperation. It is contemplated that the necessary arrangements will be effected without modification of this Agreement, through an agreement to be negotiated between the Parties and the Agency which may include provisions for suspension of the safeguard rights accorded the Commission by Article IX, paragraph B, of this Agreement during the time and to the extent that the Agency's safeguards apply to such materials and facilities.

"B. In the event the Parties do not reach a mutually satisfactory agreement on the terms of the trilateral arrangement envisaged in paragraph A of this Article, either Party may by notification terminate this Agreement. In the event of termination by either Party, the Government of the Argentine Republic shall, at the request of the Government of the United States of America, return to the Government of the United States of America all special nuclear material received pursuant to this Agreement and in its possession or in the possession of persons under its jurisdiction. The Government of the United States of America will compensate the Government of the Argentine Republic for such returned material at the current United States Commission's schedule of prices then in effect domestically."

ARTICLE II

Paragraph B of Article XII of the Agreement for Cooperation is amended by deleting the phrase "two years" and substituting in lieu thereof the phrase "seven years".

ARTICLE III

This Amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation, as hereby amended.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, in the English and Spanish languages, both equally authentic, this eighth day of June 1964.

For the Government of the United States of America:

ROBERT W. ADAMS,
Deputy Assistant Secretary, Inter-American Affairs, U.S. Department of State.

GLENN T. SEABORG,
Chairman, U.S. Atomic Energy Commission.

For the Government of the Argentine Republic:

EZEQUIEL F. PEREYRA,
Minister, Charge d'Affaires ad interim.

Certified to be a true copy:

EARLE W. COOK,
Division of International Affairs, U.S. Atomic Energy Commission.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., May 5, 1964.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Argentine Republic Concerning the Civil Uses of Atomic Energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The proposed amendment which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would revise and extend the agreement between the United States of America and Argentina which was signed at Washington on June 22, 1962, and which entered into force on July 27, 1962 for a period of 2 years.

In keeping with U.S. policy that it is timely for us to arrive at an explicit understanding with those countries with which we have agreements, as to the transfer of safeguards to the International Atomic Energy Agency, provision has been made in article I of the proposed amendment that the Agency will be promptly requested to assume responsibility for applying safeguards to materials and facilities subject to safeguards under the agreement. The transfer of this responsibility to the Agency would be effected without further modification of the agreement by means of a trilateral agreement to be negotiated between the Government of the United States of America, the Government of the Argentine Republic, and the Agency.

Article II of the proposed amendment provides for the extension of the agreement for a 5-year period beyond its expiration date of July 27, 1964.

Following your determination, approval, and authorization, the proposed amendment will be formally executed by appropriate authorities of the Government of the United States of America and the Government of the Argentine Republic. In compliance with section 123c of the Atomic Energy Act of 1954, as amended, the proposed amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

GLENN T. SEABORG,
Chairman.

THE WHITE HOUSE,
Washington, D.C. June 2, 1964.

Hon. GLENN T. SEABORG,
U.S. Atomic Energy Commission,
Washington, D.C.

DEAR DR. SEABORG: In accordance with section 123a of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me certain amendments to agreements for cooperation between the Government of the United States of America and certain foreign countries concerning the civil uses of atomic energy and has recommended that I approve each such proposed amendment, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The amendments so submitted are listed herewith:

Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of China Concerning the Civil Uses of Atomic Energy (transmitted by letter of April 16, 1964).

Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Greece Concerning the Civil Uses of Atomic Energy (transmitted by letter of April 16, 1964).

Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Thailand Concerning the Civil Uses of Atomic Energy (transmitted by letter of April 16, 1964).

Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of Vietnam Concerning the Civil Uses of Atomic Energy (transmitted by letter of April 16, 1964).

Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Argentine Republic Concerning the Civil Uses of Atomic Energy (transmitted by letter of May 5, 1964).

Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of Iran Concerning the Civil Uses of Atomic Energy (transmitted by letter of May 5, 1964).

Pursuant to the provisions of 123b of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

(a) Approve each of the proposed amendments listed above, and determine that the performance of each of these agreements as amended will promote and will not constitute an unreasonable risk to the common defense and security of the United States of America;

(b) Authorize the execution of each of the proposed amendments on behalf of the Government of the United States of America by appropriate authorities of the Department of State and the Atomic Energy Commission.

Sincerely,

LYNDON B. JOHNSON.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

U.S. ACTIVITIES IN SOUTHEAST ASIA

Mr. MORSE. Mr. President, the words of President Johnson yesterday in Minneapolis give rise to both hope and despair for the prospect of peace.

They give hope because the President recognized the great contribution to world peace afforded by the United Nations and our adherence to it. Unfortunately, he did not make the slightest reference to the United Nations as a check against American outlawry in South Vietnam.

The references in his speech yesterday to the willingness of the United States to risk war, if necessary, give rise to despair, because President Johnson and his administration seem to have firmly separated our responsibility to world peace and the rule of law in world affairs from our activities in southeast Asia. We cannot do that and follow either a consistent course of action or, in my judgment, an honorable course of action in keeping with our treaty obligations.

Mr. President, what rule of law is the United States bringing to southeast Asia? I ask the President what he is doing to bring the United Nations Charter to bear on the one most urgent and critical threat to peace of all—the war in southeast Asia?

How can the United States, through its President, proclaim the rule of law for the problems and issues of other nations,

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and practice the law of the claw where our own problems are concerned in southeast Asia?

The President quoted from the Sermon on the Mount when he said:

Blessed are the peacemakers, for they shall be called the children of God.

But a few lines later in the Sermon on the Mount we are given some clews of how to go about making peace. The Master said:

Agree with thine adversary quickly, while thou art in the way with him; lest at any time the adversary deliver thee to the judge, and the judge deliver thee to the officer, and thou be cast into prison. Verily I say unto thee, thou shalt by no means come out thence, till thou hast paid the uttermost farthing.

No government that says it is prepared to risk war in any area can know where or how that war will end, and more often than not an entire nation and a generation of its people pay the "uttermost farthing" to make good the pledge. We are not now in agreement with our adversaries in Asia; but before any administration threatens to take the United States to war it should exhaust the last possibility to avoid it—and the President, the Secretary of State, and the Secretary of Defense have not done it. They owe it to the American people to exhaust every possible rule of law through our treaty commitments, and particularly our commitments under the United Nations, before we start to rattle the American sabre and threaten to the world that we are ready to plunge Asia into war as a means of promoting American policy there.

This administration has not exhausted any possibility of international law in Asia because this administration has not resorted to international law and the procedures thereof in an attempt to avoid a war in southeast Asia. We are exhausting all the possibilities to keep Greece and Turkey from war by resorting to international law. We are using personal mediation, summit diplomacy, and the United Nations.

What of the conflict in Asia? There we talk of nothing but war. Are we the hypocrites also referred to in the Book of Matthew, of whom it was said:

For ye are like unto whited sepulchres, which indeed appear beautiful outward, but are within full of dead men's bones and of all uncleanness.

There is, in fact, no problem we face in Asia that would be improved by war, any more than there is any problem in Europe from which any side could gain through war.

Right now we look upon China as a weak adversary, lacking not only nuclear weapons, but also much of the ordnance and industrial capacity for even a modern conventional war on a large scale. We are willing to practice "brinkmanship" against China in her backyard that would be unthinkable against Russia in her backyard.

But, does that mean that war against China is safer for the United States than war against Russia? I believe not. Nuclear bombs may not drop upon American cities as the result of a war with China, but the casualties and the cost would still vastly exceed the value to us of the territory we claim that we are protecting.

I protest this American course of action because I am convinced that this is not the course of action necessary to follow in order to give protection to the troubled, crisis-ridden areas in southeast Asia.

Moreover I believe that we would find our interests in southeast Asia, not to mention elsewhere in the world, severely weakened by such a war.

Communism has fed on war. It has spread its dominion through war. Whatever may be true today of Russia is fear that war would ruin her domestic economic advances, communism has come to power through the havoc and destruction of war.

I see no reason why that should be different now. Unless the United States is prepared to do with China what we did with Japan at the close of World War II—to occupy it, to rebuild it, and to reconstruct its society—there is every likelihood that communism would spread in Asia if a full-scale war should develop there.

We could destroy its present leaders, but we cannot contain or cope with the effects of the war in Asia, not only if that would occur in China, but also if that would occur in southeast Asia, in India, in the Philippines, in Burma, and the rest of the countries of the South China Sea and the Indian Ocean.

I say to President Johnson, to his Secretary of State, to his Secretary of Defense, and to Admiral Felt, that not a single one of them has offered the American people a goal, a purpose in Asia that could be accomplished or advanced through war. They have not been able to establish those viable nations about which they like to talk so much, even with an investment of billions of dollars worth of American money and military aid.

The loss of thousands of American lives in a war in Asia is immoral and uncalled for. It is not in keeping with the reference to the Scriptures which the President is so frequently quoted as supporting:

Blessed are the peace makers because they shall be called the children of God.

How do we expect to establish viable nations with war?

No, Mr. President, go back to the Book of Isaiah, another text that the President quotes from frequently,

Come and let us reason together.

That is what the United Nations is for. That is what we profess to believe.

Let us get away from the international policy of peace for Cyprus, but war for Asia.

Let us get away from the international policy of peace for the Middle East, but war for Asia.

Let us get away from the international policy of peace for the Congo, but war for Asia.

Mr. President, I regret to say that I wholeheartedly support my President on 99 percent of his stands, but disagree with him on his foreign policy in Asia because, if it is not changed, it will lead this country into a major war in Asia. It will result in loss of tens upon tens of thousands of American boys—unnecessary, unjustifiable, and uncalled for.

Up until the time that there is a declaration of war, my voice will continue to ask my President from the floor of the Senate today, as I have done for many weeks past, "Mr. President, when are you going to send up that proposal for a declaration of war? Under article I, section 8 of the Constitution, you have no constitutional power to kill a single American boy in Asia under a Presidential direction on a battlefront in the absence of a declaration of war. Only the Congress has the constitutional power to declare war."

I say once more, that goes for Laos, too. The illegal course of action which the United States has been following in Laos in violation of article 4 of the Geneva accords cannot be reconciled, either, with the clear constitutional duties of the President as Commander in Chief.

It saddens me to find it necessary to criticize my President in regard to what I consider to be his unsound stand in light of our international obligations.

I hold in my hand a treaty which the United States signed. It is called the Charter of the United Nations. Our signature is on that treaty. We cannot justify American foreign policy in Asia, in light of the commitments which we made under this charter.

Mr. President, I particularly refer to article 33 of the charter, although our obligation goes to the charter from its four corners.

Article 33 reads, and I read it again, as I have in the debates of the past several weeks:

The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security shall, first of all, seek a solution by negotiation inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

We have never kept that commitment in southeast Asia. We have flouted that commitment to article 33 of the United Nations Charter. Section 2 of the article reads:

The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

I again ask the Secretary General of the United Nations, Mr. U Thant, "What have you been doing? Is the United States so powerful that the world is afraid to call the United States to an accounting for a violation of its obligations under the United Nations Charter?" No. Do not give me—as some do—the old fallacy that we are not the only ones who are violating the United Nations Charter in southeast Asia. We sure are not. North Vietnam is. The Pathet Laos are. South Vietnam itself is. Of course, Red China is.

The issue that I keep raising, and shall continue to raise until there is a declaration of war, if Congress makes the unfortunate mistake of writing that page in American history—is that on the return to this charter, that we proceed to request that the rules of law and the

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procedures for it be put into implementation immediately.

There is no doubt in my mind that Red China, Laos, North Vietnam, South Vietnam, and the United States are violating their international law obligations by the course of action that is being followed in southeast Asia. But that does not justify our committing a wrong because some other nation commits a wrong. Nor does it justify the United States setting itself up as the policeman of the world.

We must face the strategy that exists today, for there are those who have much to do with the recommending of American military policy who have become sold on the idea that Red China cannot fight an effective war at the present time against the United States, that she has no nuclear power, and that because of the split that has developed between Red China and Red Russia, she does not have the air power to last very long against the American air armada. That is all true.

These analysts conveniently neglect to mention land warfare against China. They pass over the fact that we have unchallenged air and sea control in South Vietnam for 10 years, but the war has gone against us, anyway.

But these analysts seem to mean that the United States is justified in resorting to the jungle law of force. To the contrary, Mr. President, I should think it would justify even more following the thesis that the senior Senator from Oregon and the courageous Senator from Alaska [Mr. GRUENING] have been advocating in the Chamber for these many past weeks.

If the argument is that by using nuclear weapons we can knock out Red China now with a military victory, that is true. Do we think that is going to win a peace? That would create a hatred throughout Asia that would last for generations.

Mr. President, that course cannot be reconciled with the Sermon on the Mount, which the President quoted on yesterday in Minneapolis. Quite to the contrary. Of course, we would have to knock out Red China if we did not outbluff her—and I know of no reason to think that she is going to be outbluffed. As I have said so many times in the Senate, we are dealing with government leaders in Red China who are so despotic and despicable in their philosophy that they place no value on human life. They would not hesitate to sacrifice Chinese lives by millions. Some time ago a Communist leader of Red China pointed out that they could lose 400 million Chinese and come out of that kind of a war a stronger nation.

Mr. President, I am aghast at the apparent motivation and philosophy of the military policymakers of the United States. They are threatening the risk of a full-scale war in Asia unless the Chinese do our bidding.

I have no reason to believe that we are justified in taking that risk. I could not square such a policy with the principles of morality. Let us not talk about morality. Let us practice it.

Making war in 1964 is immoral. No matter how it is put, it is still immoral. If my country makes the great mistake of declaring war, then of course we have to unite behind that declaration and do everything we can to win the next military victory that the declaration calls for, and then try to recoup and recover from our immoral conduct in the hope that we can set up a permanent policy of substituting the rule of law for the jungle law of force. But we shall set back this charter for decades. We shall not be able to reconcile carrying out our threat of being willing to risk a war in Asia with our obligations under the charter.

Let me read article 37 of the charter, if there are any doubting Thomases as to the obligations of the United States under international law.

Article 37 reads:

Should the parties to a dispute of the nature referred to in article 33 fail to settle it by the means indicated in that article, they shall refer it to the Security Council.

Why have we not done what this charter—this treaty on which we put the solemn signature of the United States—calls for? Is it because we think we are too mighty? Is it because we think the world will accept that most unfortunate speech of Adlai Stevenson before the Security Council only a few weeks ago—a speech which he should not have loaned his lips to read, because that speech belies all the idealism of Adlai Stevenson? The speech which he loaned his lips to read cannot be reconciled with the world statesmanship of Adlai Stevenson. He destroyed himself as a world statesman when he read that speech, because in effect in that speech he announced to the world that we intended to follow a course of action in Asia that we decided was necessary, and the rest of the world can like it or else. His ambassadorship was not worth that. Much better that Adlai Stevenson would have refused to read that speech and resigned his ambassadorship, which would be a small sacrifice, indeed, compared with the supreme sacrifice that American boys are making in South Vietnam.

I say to my colleagues in the Congress that it is one thing for them to sit here in relative security and safety and countenance the unjustifiable killing of American boys in South Vietnam. But by doing so, they are not following a course of action that in my judgment can be squared either with international law or with morality.

I should like to continue. Article 37, section 2, states:

If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under article 36 or to recommend such terms of settlement as it may consider appropriate.

We signed a treaty that gave that authority to the Security Council.

"Ah, but," say some to the senior Senator from Oregon, "We do not think the Security Council would be able to take action because Russia would veto it:"

Perhaps, although Russia did not veto the peacekeeping mission for Cyprus, probably the odds are in favor of a Soviet veto.

As I have said so many times—and I shall continue to repeat it in the hope that at long last the leaders of my Government, as well as the American people, will come to understand our obligation—I wish to put Red Russia on the spot. I wish to show who it is in the world that really will not cooperate in keeping the peace. I wish to remove my country from the present unenviable position it now occupies, in announcing to the world that we are willing to risk war in Asia unless American foreign policy in Asia is followed. That is what it adds up to.

Who do we think we are? By what authority—by what right—does the United States set itself up as the international policeman of the world and state that we shall decide the merits of the various controversies, and then we shall decide which side we shall support. It is shocking that the United States should follow such a course of action in view of these solemn commitments in the United Nations Charter.

It is interesting that the President would even mention the United Nations Charter in his Minneapolis speech yesterday, and then fall completely silent when it came to applying the charter to an inexcusable American foreign policy in southeast Asia. It was a great disappointment to me. It makes me sad to find it necessary, in order to carry out what I consider to be my solemn trust as an elected representative of the people of my State, to take to the floor of the Senate and express this disagreement with my President. But I could not disagree with him more than I disagree with his saber-rattling policy in Asia, in which he threatens the risk of war unless the Communists follow our dictates.

So many people jump to the fallacious conclusion that if we protest the policy of the United States in Asia, someway, somehow, we are unpatriotic and pro-Communist. I say most respectfully that not even the President of the United States is more anti-Communist than the senior Senator from Oregon, for I am satisfied that Red Russia, Red China, their Communist underlings around the world, and their satellites seek to take over the world if they ever think they are strong enough to do it.

The United States is not justified unilaterally, outside the United Nations, in proceeding to set itself up as the law enforcement country of the world.

I am disturbed about another facet of the President's program in southeast Asia. If we risk that war, and if the Red Chinese call our bluff and a major war breaks out, we are on the horns of a dilemma, it seems to me. One horn is that we shall be doing Russia's job for her, because if Russia intends to make the split with the Red Chinese permanent, there is nothing she would welcome more than to have the United States fight Red China for an indeterminate period. But we shall not knock off Red China [illegible] enormous cost in blood and economic resources. After we had

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destroyed the military power of Red China, with all the devastation that would go along with the nuclear power that we would have to use to do it, because we would never be able to do it with conventional American forces, for decades, then, being the great Christian nation that we are, we should be doing the humanitarian job in China that our religious faith dictates to us that we should do, for we are good Samaritans. Mr. President, we believe in the teachings of the Master in respect to the philosophy of the good Samaritan. But ignoring for just a moment—but only for a moment—the sacrifice of American life that such a war would produce, our economy could not possibly remain strong and stable—and it is our greatest security weapon—with the billions we would have to pour out in the decades ahead to rehabilitate the part of Asia that we would destroy in such a costly war.

Russia's other reaction could be to make good on her mutual defense treaty with China and support her war effort. She could do it with nuclear weapons against the United States; or she could do it merely to the extent of furnishing China with airplanes, oil, and ordnance to keep fighting.

Neither response by Russia would do the United States any good.

I am pleading to save the blood and the economic resources of my country, and resort to the procedures of the United Nations, rather than follow the recommendation of the President yesterday in Minneapolis. I cannot read his speech any other way than to come to the conclusion that he is underwriting to risk a major war in Asia without going to the United Nations. Yet in another part of the speech in Minneapolis yesterday he paid tribute to the United Nations in connection with its peacekeeping operations elsewhere in the world. What a paradox and what an inconsistency.

Let us take a look at article 36, referred to in article 37.

Article 36 reads:

1. The Security Council may, at any stage of dispute of the nature referred to in article 33—

Which I have already read—

or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the statute of the Court—

Which is a part of the charter.

By the way, if anyone in the Senate thinks that there are not large numbers of persons who are following this debate in the Senate, which has been going on for the past several weeks, since the distinguished Senator [Mr. GRUENING], who honors me with his presence as I make this speech, and I have appreciated the debate, they could not be more wrong. My mail shows to the contrary. Immodest as it may have appeared to some persons, I have put in the RECORD, in three different installments, a large quantity of mail I have received. The Senator from Alaska says his mail has been running 100 to 1 in support of his opposition to involvement in a war in Asia and in opposition to American foreign policy in Asia. I have said that my mail has been running at least 9 to 1 in opposition, but my office tells me it is nearer the figure of the Senator from Alaska than the figure I have given of 9 to 1.

The American people are greatly concerned about the unilateral military course of action we have been following in Asia, first in South Vietnam, and now we are spreading it. We are in Laos now, in direct violation of article 4 of the Geneva accord of 1962.

While there are many other articles I could read, showing the failure on the part of the United States to live up to its signature on the United Nations Charter, I call attention to article 51:

Nothing in the present charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

I shall reread that part of the article that is particularly controlling so far as the argument I am now making is concerned. It reads as follows:

Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter.

We have made no such report; and I wonder if we have made no such report because we would not have a leg to stand on if our argument were that we were in South Vietnam as a matter of self-defense. Of course we are not. We are in South Vietnam because we are supporting a creature of the United States, a puppet of the United States, a puppet government the United States set up, a puppet government that takes its orders and directions from the United States. We have no more right in South Vietnam under this charter than Russia has in East Germany. We use the same alibi, as I have said so many times, in this debate, seeking to rationalize the American presence in Vietnam, that Russia uses in East Germany. Says Russia, "The East German Government invited us in." Of course, the world knows who the East German Government is. It is the Communist puppet of Red Russia. And the world knows who the military dictatorship in South Vietnam is. It is the puppet government of the United States.

It grieves me to hear my President use the word "freedom" in connection with South Vietnam. There is no freedom in South Vietnam. South Vietnam is an outright military dictatorship; and the overwhelming mass of its people have not the slightest understanding of the difference between freedom and communism. And they could not care less.

I want them to be free, but the way to eventually bring freedom to the masses of the people of South Vietnam is not for the United States to engage in war in South Vietnam—and a civil war at that.

The State Department becomes very agitated when we refer to the undeniable fact that the war in South Vietnam, so far as the Vietnamese are concerned, is basically a civil war, with families split. When the witnesses are put under cross-examination in the Foreign Relations Committee executive sessions, they admit the Vietcong are almost entirely South Vietnamese—Communist South Vietnamese. When we ask them to give us any evidence of any sizable contingents of North Vietnamese in South Vietnam, they cannot produce it. They talk about a few cadres here and there, but under further cross-examination, they cannot be sure they are North Vietnamese.

Do not forget that the North Vietnamese and the South Vietnamese come from the same country. Prior to the Geneva accord of 1962, they were all Vietnamese. The only foreign troops in South Vietnam in any substantial numbers at all are U.S. troops, not foreign troops. It is said, at the State Department and the Pentagon, "But they are being supplied by the North Vietnamese." Who is supplying the South Vietnamese? And what did the so-called neutral enforcement Commission under the Geneva accords find? The Commission found that North Vietnam and South Vietnam are both violating the Geneva accords. South Vietnam is violating the Geneva accords because of the United States. The Neutral Commission found that the United States was supplying military supplies in great quantity, and that it had American military personnel there, in clear violation of the Geneva accords.

Our country, I may say to the American people, has been violating the Geneva accords, and at the same time has sought to rationalize and alibi the killing of American boys in South Vietnam, along with thousands of the native people of the indigenous population, on the ground that North Vietnam is violating the Geneva accords; and, therefore, we are setting ourselves up as the enforcement officer.

It is pretty sad, pretty shocking, but that is the page of history we are writing.

I want to change its course. I repeat my plea; and I shall repeat and repeat as long as this debate continues. So far as the senior Senator from Oregon is concerned, it will continue until the United States declares war, and then the die will be cast. Then the senior Senator from Oregon, after he votes against that declaration of war, if that declaration of war is offered on the basis of the present facts, will be heard to plead that we then unite behind the policy that the [illegible] will have been established under the Constitution of the United States. But until then I am going

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to do all I can to change this mistaken course of action.

I shall never speak on this subject without pointing out alternatives. I have urged from the beginning—and not a word from the President about this in his speech at Minneapolis—that we call upon our SEATO allies, so-called, to join us in South Vietnam until such time as the United Nations can take jurisdiction and send a large contingent into South Vietnam. As I said on the television program "Issues and Answers," yesterday, I talk in terms of divisions.

Let us see if we can send into South Vietnam several divisions from SEATO, demonstrating our determination to keep the peace, but not divisions to make war, not divisions to drop bombs, not divisions to burn out towns and hamlets, not divisions to violate the borders of Cambodia and North Vietnam, which constitute acts of aggression on the part of the United States today, but divisions to keep the peace, divisions that would seek to perform the same function that the United Nations forces in the Middle East and Cyprus and the Congo have been performing, and then take the issue before the United Nations, asking the United Nations to assume jurisdiction, or perhaps to provide that those divisions of SEATO shall act for the United Nations. The charter provides for that. The charter makes clear that the United Nations can follow that course of action. The United Nations can underwrite a regional peacekeeping program.

That is quite a different thing from a regional warmaking program. Just as soon as we can get the matter resolved before the United Nations, which is our clear duty to try to do, I would prefer that the United Nations take over direct jurisdiction and send in a United Nations force.

It is argued by some that it would be very costly to do it, and that the United Nations at the present time does not have the funds. Have Senators ever heard such an argument, such a rationalization for the United States not going to the United Nations?

One day of a full-scale war in Asia would cost more than months and months and months of peacekeeping expenditures that I am pleading for. No; they cannot "sell" that one to me.

I say to the American people: "Only you can stop this." Only an aroused public opinion can stop it. I say to the American people that the hour has come, and the American people should take a stand in support of the substitution of the application of rules of international law for unilateral military action of the United States based upon the jungle law of military might.

The difference I have with the President, painful as it is, has nothing to do with my support of the President in the election ahead, and will have nothing to do with my course of action at the Democratic National Convention as a member of my State's delegation. There will be no problem in nominating the President. There will be no problem in reelecting him, because I believe he will win the election by a landslide.

Nevertheless, I have a duty as a Senator from my State to keep faith with my oath of office, as I see my responsibilities. That is why I shall continue to do what I can, as long as there is any hope of substituting peace for war in southeast Asia, to raise my voice over and over and over again, as I have this afternoon, in a plea to my President, for now, for the first time, it is squarely up to him.

The President has made his pronouncement as to what his position is. I plead for a change in that policy. The President has now taken unto himself McNamara's war. For weeks I discussed this general problem from the standpoint of its following the blueprint of the Secretary of Defense. The time has come now for the American people to raise their pleas with the President of the United States to end our unilateral military action in Asia and walk back into the framework of the United Nations Charter to which he referred in one part of his speech yesterday in such commending terms.

I have been heard to say before that the Conscription Act, the so-called draft law, is probably one of the most unfair laws on the statute books. It has become an unfair law because of its administration, because so many boys in this country are able now to go around the draft law, with all the policies of exemption that have developed. Too many do not. It is a discriminatory law, unfairly discriminatory in its administration. Congress must assume the responsibility for that because of the exemptions that we have written into it.

I am glad that when the law was last before the Senate I opposed it, because we did not adopt revisions in it that I thought should have been adopted.

Under that draft law we are sending by compulsion American boys to die in southeast Asia in the absence of a declaration of war. I do not believe it can be justified. I think we ought to bring back the draftees in the absence of a declaration of war. At least we should stop killing boys who are not over there of their own free will.

I think that is an appropriate suggestion to make, because some weeks ago, the President himself suggested that consideration be given to amendments to the draft law. He did not specify what the amendments should be; but, of course, the suggestion that the draft law should be amended was applauded by many across the country who have been subjected to its unfair discriminatory policy.

I make this suggestion to the President. This is one way to amend it. Bring back the boys who have been drafted and call for volunteers.

Although support for my position is overwhelming, every once in a while I run into some young fellow, or some fellow not so young, who thinks it is very important that we call the Communist bluff in southeast Asia. He thinks it is important that we make war on the Communists. I respectfully invite him, whenever he would like to have me see if I can somehow arrange to have him substituted for somebody on the battlefront in South Vietnam who did not ask to go there. It is always a little amusing to see the reaction of a person who has made that argument. I have had no volunteers whatsoever to accept my suggestion. It is easy to sit in the United States in security and talk about killing American boys in South Vietnam by carrying on a war to call the bluff of the Communists.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GRUENING. As on previous occasions, I am most happy to associate myself with the forthright, courageous, and correct—in my view—position taken by the senior Senator from Oregon. The sad fact is that his forecasts of what would happen are taking place. The war in southeast Asia is being escalated.

First, we were told that our purpose was merely to assist the people of South Vietnam—those who did not like the existing government—to win against their opponents. Repeatedly, we were told in official announcements that that war could be won only by the South Vietnamese; that we were there merely to advise them. During that period, we were given to understand that the 16,000 or 18,000 Americans—whatever the number is—were stationed there merely to act as advisers.

Then the deaths of some 130 or more Americans in combat revealed that the advisers were quite other than advisers. They were, in fact, engaged in combat. This was, I regret to have to say it, a deception practiced on the American people.

Now the war has been escalated beyond South Vietnam. We are now also engaged in neighboring Laos. We have promised increased military air aid and activity there. We have engaged in bombing from the air. Continued escalation will involve the United States in all southeast Asia, and perhaps beyond.

Should American boys be sent to fight and die in southeast Asia? I have said again and again on the floor of the Senate that we had no business picking up where the French badly defeated, with 240,000 casualties, left off. We have no business to sacrifice American boys in that distant part of the world in a war that is not of our making and in which we should never have engaged. We had no business getting into Vietnam 10 years ago. We have no business to stay there—particularly to stay there all alone. If the war in South Vietnam is worth fighting—and there is considerable question about that—but assuming it is worth fighting, where are our SEATO allies? Where are Great Britain, France, Australia, New Zealand, the Philippines, Pakistan, and Thailand? Despite the repeated efforts of the administration to draw them in, they have so far given us no material assistance.

Mr. MORSE. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield.

Mr. MORSE. The Secretary of State boasted at a recent meeting of the Committee on Foreign Relations that Aus-

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tralia was doubling its force in South Vietnam. We pressed him for an explanation of what that meant. When he finished, I told the Secretary that he had insulted my intelligence and the intelligence of every American citizen. Australia will increase its manpower contingent from 40 to 60, but they are to be kept away from the combat zone.

Also, perhaps in 4 months, Australia may make available 6 cargo planes in which to send material to South Vietnam, but they are not too sure about that. My suspicion is that the planes will contain Australian material to be sold at a good profit.

Mr. GRUENING. This subject has been thoroughly aired by the senior Senator from Oregon. He has said again and again—and has brought it out in complete detail—how completely erroneous the predictions were.

A year ago, Secretary McNamara said we would withdraw our troops by 1965. That is now not likely to happen. We find such knowledgeable pundits as Walter Lippmann raising this very question as to whether our policy is not wholly misconceived. He has said, as I have, that this is not a war that can be won by military means. It is not a war that we can win.

The senior Senator from Oregon has repeatedly urged—and I second him in it—that we at least try to wage peace as vigorously as we are waging war.

Why not—and the senior Senator from Oregon and I have asked the question repeatedly—at least try to get the United Nations to move in with its peacemaking machinery?

Why not request a cease fire? Why not at least attempt to use the method and mechanics we have used to keep peace between Israel and Egypt, where a United Nations police force has kept the former border raids at a minimum and has prevented the local animosities from escalating into armed violence on a national scale?

We have tried it in the Congo. We are trying it in Cyprus. We may not be wholly successful there, but such efforts have so far forestalled a far greater conflict and disaster. If we can make the effort in Cyprus, where no Americans are involved, it would seem that there should be no reason why we ought not make the effort in southeast Asia, where American lives are daily being sacrificed.

Why not, I ask again, use the peacekeeping machinery of the United Nations? The American people would support such a policy. A great cheer would go up at such a move. I know this because my mail is overwhelmingly in favor of such a policy. On several occasions I have said that it has been running 100 to 1 in favor of it; but the ratio has grown beyond that and is now about 300 to 1.

I shall continue to urge this approach. I am confident that the senior Senator from Oregon will do the same. Sooner or later the facts will be borne in on the American public that this is a better way out of a troublesome, difficult, impossible situation, which President Johnson inherited.

Again, I compliment the senior Senator from Oregon. Almost alone, he has placed this issue before the American people. He has exposed it historically in every way. He has made a most forceful case. I hope the administration will take heed of his counsel and, whatever it may be doing in a military way temporarily, will not ignore, as it is now, the peacemaking aspects. It may well be that the administration feels it must make a show of strength before going to the peace table. Why not at least make the efforts simultaneously? Why not give peace preference to war?

Mr. MORSE. Mr. President, as we lawyers say, there are times when we rest our case. Nothing could be added to the eloquent, brilliant statement of the Senator from Alaska. I desire to have the RECORD show, so that the American people will know, that I look upon the great Senator from Alaska as one of my teachers, as a source of inspiration to me, as I serve shoulder to shoulder with him in the U.S. Senate.

His plea for the United States to seek a cease-fire order in Asia through the United Nations is unanswerable. That ought to be the course of action to be followed by our Government, rather than the course of action announced by the President at Minneapolis, Minn., yesterday.

AMENDMENT TO ALASKA OMNIBUS ACT—IF THE FEDERAL GOVERNMENT IS TO HELP RESTORE ALASKA AFTER ITS UNPRECEDENTED DISASTER, LET IT DO A COMPLETE JOB.

Mr. GRUENING. Mr. President, it is my understanding that S. 2881—the amendments to the Alaska Omnibus Act—is scheduled for floor action tomorrow.

The bill is a much-needed cleanup bill to provide various departments and agencies of the Federal Government with needed authority to bring relief to the stricken people of Alaska which has suffered the worst disaster that has befallen any State of the Union since the founding of our Republic.

We owe much to the dedicated efforts of many Federal officials who, in Alaska's hour of need, displayed a unique dedication to alleviate suffering.

President Johnson deserves special commendation for the speed and determination he displayed so soon after the disaster struck on Good Friday last. He also is deserving of the thanks of the people of Alaska for his continued and continuous interest in the problems of the people of Alaska since them. His compassion and understanding will be long remembered by the citizens of my State.

Another individual who deserves high commendation is Mr. Edward McDermott, Director, Office of Emergency Planning in the President's Office. He mobilized his forces within hours after the earthquake and resulting seismic waves struck Alaska. He took personal charge of the situation and has labored long and hard to bring order out of chaos in Alaska. I am pleased to learn that Mr. McDermott has decided to postpone his departure from Washington. His is the type of dedicated and effective public servant much needed here in the Nation's Capital. We need more like him.

I wish to praise also the efforts of Mr. Eugene Foley, Administrator of the Small Business Administration. He has worked quickly and well in trying to minimize the distress to the private sector of Alaska's economy. Within days after the disaster, Mr. Foley was in Alaska mobilizing his forces there to provide disaster loans to the Alaska people.

Mr. Foley and I have had our differences over interest rates charged on disaster loans. But the fact that I believe he should make available to the people of Alaska disaster loans at interest rates at least as low as those given under our foreign aid program—three-fourths of 1 percent per annum—and Mr. Foley does not agree, should not minimize the fact that Mr. Foley and his people have worked tirelessly for the stricken people of Alaska.

Mr. President, it is unfortunately impossible to name the literally hundreds of dedicated Federal employees who have worked to bring relief to the people of Alaska and to enable them to try to make the fullest possible recovery. To them, on behalf of the people of Alaska, I wish to say "Thank you for a job well done."

In the individual views I submitted at the time the report on S. 2881 was filed, I indicated three areas in which the bill brings no relief and where I strongly believe relief should be granted.

The first area relates to urban renewal. The bill as reported, and following partial acceptance of an amendment I proposed, provides a 90-to-10 matching formula for areas other than Anchorage. There is no reason why Anchorage should be excluded. It has had a goodly portion of its income base destroyed and will have difficulty meeting a 75-to-25 matching formula. Those responsible for Anchorage's future, knowledgeable about its potentials, so assert. The difference is small $4 million. But it is small only by national standards. It is large—very large—by Anchorage standards, especially in light of the report issued at the end of last week indicating that Anchorage is facing a $4 to $8 million additional bill for shoring up the business district of Anchorage. This is further evidence that we have not yet fully appraised the extent of Alaska's disaster.

I ask unanimous consent that a news article on this latest development be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Alaska? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, the second defect in the bill as reported is that it deals with owners of FHA-insured homes on a discriminatory basis. The owner of a FHA-insured home which was completely destroyed or severely damaged can have his mortgage indebtedness forgiven on payment of

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$1,000, only if the mortgage is being held by the Federal National Mortgage Association. If it is not—and 120 such mortgages are not held by Fannie Mae—there can be no forgiveness. This, I believe, is unfair to that number of innocent and deserving victims of the earthquake. In providing relief, persons in the same situation should be treated alike.

The third defect of the bill as reported lies in the interest rate to be charged on State of Alaska bonds which the Housing and Home Finance Agency by the terms of this bill is authorized to purchase. The rate to be charged is 3⅝ percent per annum. I contended that the rate should be at least the same as that charged foreign governments under our foreign assistance program—namely, three-fourths of 1 percent per annum with no repayment of principal for the first 10 years of the loan.

In the other body, the House committee has reported a companion measure—H.R. 11438—in which all three of these defects have been remedied. The committee has not gone all the way on interest rates on the State of Alaska bonds but has lowered such rates to 3 percent with a moratorium on the repayment of principal for 10 years.

I am submitting an amendment today for consideration tomorrow which would conform the Senate bill—S. 2881, as reported—to the House bill, as reported.

I ask unanimous consent that my individual views on S. 2881, as well as my amendment, No. 1080, be printed in full at the conclusion of my remarks, and that my amendment be printed and lie at the desk.

The PRESIDING OFFICER. Without objection, the amendment will be received and printed, and will lie on the table; and the individual views will be printed in the RECORD.

The amendment referred to is as follows:

On page 4 delete lines 22 through 24.

On page 5, line 1, delete through the comma following the word "Seldovia".

On page 6, lines 15 and 16, delete the figure "$25,000,000" and the quotaton mark at the end thereof and insert in lieu thereof the following: "$25,000,000: *Provided further*, That the terms of repayment of such securities and obligations or loans shall be as follows: Repayment of the principal sum in fifty years from the date of the borrowing payable in equal annual payments beginning ten years after the money is lent at an annual interest rate not to exceed 3 per centum on the unpaid balance."

On page 6, between lines 16 and 17, insert the following new section:

"PURCHASE OF HOME MORTGAGES

"SEC. 57. The Federal National Mortgage Association is authorized to repurchase at a cost not to exceed par any home mortgage insured by the Federal Housing Administration which is secured by property in Alaska which was lost, destroyed, or severely damaged as a result of the 1964 earthquake or subsequent seismic waves. Any such purchase shall be made from funds available to the Association for carrying out its special assistance functions pursuant to section 305 of the National Housing Act: except that the aggregate amount of such purchases shall not exceed $10,000,000."

On page 6, line 25, insert the following: "The total amount authorized to be appropriated pursuant to this section shall not exceed $50,150,000."

On page 7, after line 5, insert the following new section:

"REPORTING

"SEC. 7. The President shall report semiannually during the term of this Act to the President of the Senate and the Speaker of the House on the actions taken under this Act by the various Federal agencies. The first such report shall be submitted not later than February 1, 1965, and shall cover the period ending December 31, 1964."

The individual views of Mr. GRUENING were ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS OF MR. GRUENING

The State of Alaska and its citizens are highly appreciative of and deeply moved by the sympathetic response of the people of the rest of the United States to the damage and distress resulting from the Good Friday earthquake and resulting seismic waves.

This bill represents yet another step in the process of Federal aid to the stricken State of Alaska and its people. Its provisions are sorely needed and will be thankfully received.

During the consideration of this bill by the committee, I offered a number of amendments. Senator ANDERSON, in his capacity as a member of the committee, as chairman of the Special Committee of the Whole which held hearings on the bill, and as Chairman of the Federal Reconstruction and Development Planning Commission for Alaska, opposed all the amendments I offered.

One amendment was adopted by the committee. One amendment was limited in scope. The other amendments were tabled.

It is important that the record clearly state my objectives in offering these amendments and what they sought to accomplish.

These were not unreasonable attempts to secure everything possible for the State of Alaska and its people from the Federal Treasury. Far from being an attempted raid on the Federal Treasury, it was an attempt to maximize the effectiveness of the Federal aid already given and to be given. The old adage "For want of a nail * * * the kingdom was lost" is particularly appropriate to this situation.

With 50 percent of the income base of the State of Alaska gone, the task is to rehabilitate the private sector of the economy to bring the tax revenues flowing back to the State government as soon as possible so that it can resume normal functions. Incidently, the renewal of such flow would also produce Federal tax revenues.

What does it profit the Federal Government to dangle the carrot of urban renewal—badly needed—before the people of Anchorage at matching rates which they simply cannot afford because their tax base has been crippled by the earthquake?

What justice and equity is there in a policy of the Federal Government making the forgiveness of the mortgage indebtedness of an Alaskan FHA-insured homeowner whose home is destroyed or severely damaged depend on whether the Federal National Mortgage Association has or has not resold the mortgage to a private lending institution?

How can the Federal Government justify charging the State of Alaska 3¾ percent interest on the $25 million to be loaned to it while lending billions to scores of foreign nations at three-quarters of 1 percent interest?

To correct these injustices and to make practical the Federal aid to be given, I offered in committee three amendments.

Two amendments were tabled. The third was severely limited.

The amendments are discussed in detail below.

1. URBAN RENEWAL (AMENDMENT NO. 801)

In disaster areas, urban renewal can normally be financed with 75 percent Federal funds and 25 percent State and local funds. In Alaska, because of the severe losses in several communities of property and income tax bases and the 50-percent loss by the State of its own tax base, financing urban renewal projects on a 75-to-25 ratio would be a practical financial impossibility.

My amendment would have permitted the Administrator of the Housing and Home Finance Agency to permit Federal matching for urban renewal projects in disaster areas up to 90 percent. Senator ANDERSON opposed the amendment.

The 90-to-10 matching proposal was originally made by the HHFA, but was not approved in the draft of the bill sent to the President by Senator ANDERSON.

The amount involved is small—at most a difference of only $6 million. But to the stricken communities which had had their tax bases literally wiped out this amount can make the difference between their ability to recover or not.

Thus to the town of Kodiak it means the difference between its share being $1,993,608 or being $797,443—a difference of $1,196,165. This is 1½ times the total revenue ($747,602) of Kodiak in fiscal year 1963.

The committee accepted my amendment, but limited it to communities under 6,000 population.

The committee thus excluded the city of Anchorage on the recommendation of Senator ANDERSON who expressed his belief that Anchorage could afford to pay 25 percent as its share of matching, despite the statements to the contrary by the mayor of Anchorage, the Governor of Alaska, and the Alaska congressional delegation.

By excluding Anchorage from the more favorable matching terms of 90 to 10, the urban renewal program in Anchorage will cost an additional $4,390,000. This is about one-third of the total anticipated 1964 revenue for Anchorage.

Since the news of the committee's action was announced, the city of Anchorage has again reiterated its position that it cannot go ahead with its urban renewal plans on a 75-to-25 basis.

What does the Federal Government gain by killing urban renewal in Anchorage? It is being penny wise and pound foolish. It is insuring that the tax base in Anchorage will not rebound for many additional years, thereby keeping tax returns depressed for many additional years. The growth of Anchorage would be much slower and the tax returns lost to the Federal Government by this parsimonious action will be many times the $4 million involved.

And the ironic part of this committee action is that my amendment was discretionary only. It set 90 percent as the maximum. The matching ratio could be set at any figure from 75 to 90 percent by the Administrator of the Housing and Home Finance Agency after careful evaluation of the financial abilities of Anchorage to pay.

Attempting to saddle the stricken city of Anchorage with an additional financial burden on the basis of guesstimate of its financial condition runs contrary to the facts cited by knowledgeable State and local officials and is unfair, unjust, and inequitable.

The total cost of this amendment is only $4,390,000.

2. FORGIVENESS FOR FHA-INSURED HOMEOWNERS (AMENDMENT NO. 870)

Another amendment which I proposed would permit the Federal National Mortgage Association (Fannie Mae) to buy at par mortgages on FHA-insured homes in Alaska which were destroyed or severely damaged where the mortgages are not held by Fannie Mae.

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